

Appl. No. 09/997,515
Amdt. Dated January 18, 2005
Reply to Final Office action of November 18, 2004
Docket. No.: IRI05459 (010.0196)

REMARKS

In the November 18, 2004 Final Office Action, claims 1-20 were rejected. This Response amends claims 2-11, 13, and 14, cancels claim 1, and introduces new claim 21, which represents an amended version of claim 1. After entry of the foregoing amendments, claims 2-19 and 21 (19 total claims; 2 independent claims) remain pending in the application. Reconsideration of the application is respectfully requested in view of the above amendments and the following remarks.

Claim 20

As a preliminary matter, Applicant reminds the Examiner that claim 20 was canceled in Applicant's Response dated July 27, 2004. Consequently, the current rejection of claim 20 is moot and the following remarks do not address claim 20.

§102 Rejection

Claims 1-8 and 11-17 stand rejected under 35 U.S.C. §102(e) as being anticipated by Gentry, U.S. Pat. No. 6,453,162 (hereinafter "Gentry"). Claim 1 has been canceled in favor of new independent claim 21, which represents an amended version of claim 1. Accordingly, the following discussion of the §102 rejection also applies to new claim 21. Applicant respectfully traverses this rejection.

Gentry discloses a system and method for web-based provisioning (i.e., setting parameters for) a home location register ("HLR") in a wireless network. In other words, the Gentry system allows a user to modify his subscriber profile or preferences, which are stored and maintained at the HLR, using a personal computer that is connected to the Internet. The goal of the Gentry system is to eliminate the need to have a service provider employee enter subscriber profile/preference changes on behalf of the subscriber [see Gentry's Summary section].

FIG. 1 and FIG. 2 of Gentry depict a single HLR, which is intended to represent the primary HLR that services the mobile device 12 (see FIG. 1). In FIG. 1, the service area 10 is the home or local service area for the mobile device 12, while the service area 16 is a roaming service area for the mobile device 12. When the mobile device 12 is within the roaming service area 16, the roaming system MTSO 22 communicates with the roaming system VLR 20 to

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obtain the subscriber services for the user of the mobile device 12. In turn, the roaming system VLR 20 communicates with the home/local system HLR 17 to obtain the subscriber services for the user of the mobile device 12. This conventional operation is described by Gentry beginning at Column 4, Line 51. Notably, only one HLR 17 is contemplated by the Gentry system.

FIG. 2 of Gentry illustrates the web-enabled version that represents the primary focus of the Gentry disclosure. Using the system of FIG. 2, a user, via his personal computer 48, accesses an appropriate web page (provided by web server 44) that allows him to monitor, view, and change his subscriber services, preferences, and settings via the Internet 46. In this regard, the personal computer 48 merely facilitates user communication with the HLR 17 in lieu of having a service provider employee access the HLR 17 on the user's behalf. Gentry discloses the manner in which the IP-based data is converted for use with the IS-41 network 40, which is necessary for compatibility with the HLR 17. Importantly, the HLR 17 depicted in FIG. 2 represents the same home/local HLR 17 depicted in FIG. 1. In other words, Gentry neither teaches nor suggests the use of a network HLR in conjunction with a distributed HLR ("DHLR") that is personal to the user.

Applicant respectfully disagrees with the Examiner's characterization of Gentry, and requests reconsideration in view of these remarks. For example, the Examiner contends that Gentry's personal computer 48 and web server 44 are akin to the DHLR recited in Applicant's claims. The Examiner cited to Gentry at Column 5, Lines 22-42 and Column 6, Lines 24-27 in support of this conclusion. Applicant submits that this characterization of Gentry is unreasonable and unsupported by the Gentry specification. In particular, Gentry's personal computer 48 and web server 44 are simply means for accessing the only HLR contemplated by the Gentry system, namely, HLR 17. Indeed, the stated goal of Gentry is to enable the subscriber to communicate with the HLR 17 in a manner that eliminates the need of a "middle man." Gentry fails to disclose or suggest that recited in Applicant's claims, namely, the deployment of another HLR (the DHLR) that includes data for authorizing services in a foreign network for a user of the home network.

The Examiner states that Gentry's foreign network 16 includes a VLR 20 for determining services that are needed by a user in the foreign network. Although this statement

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may be generally accurate, Gentry fails to teach or suggest additional limitations recited in Applicant's claims. In particular, Gentry neither teaches nor suggests a foreign VLR coupled to a DHLR (in the home network) via the communication network. Indeed, even assuming, for the sake of argument, that Gentry's personal computer 48 is akin to the recited DHLR, Gentry's foreign VLR 20 is not coupled to the user's personal computer 48. As mentioned above, Gentry merely describes the conventional technique whereby the foreign VLR 20 communicates with the home network HLR 17.

Regarding claim 11, Gentry neither teaches nor suggests a DHLR directly coupled to the user via a mobile device. Even assuming, for the sake of argument, that Gentry's personal computer 48 is akin to the recited DHLR, Gentry's personal computer 48 is only utilized to communicate with the web server 44, the wireless data server 42, or the HLR 17. In other words, Gentry's personal computer 48 does not communicate with the mobile subscriber 12.

For at least the above reasons, Gentry does not anticipate the invention recited in any of claims 2-8, 11-17, and 21. Accordingly, Applicant respectfully requests the withdrawal of the §102 rejection of claims 2-8 and 11-17.

§103 Rejection

Claims 9, 10, 18, and 19 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Gentry. Applicant respectfully traverses this rejection.

To establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation to modify a reference or to combine the teachings of multiple references. Second, there must be a reasonable expectation of success. Third, the prior art must teach or suggest all of the recited claim limitations. Of course, the teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, not in Applicant's disclosure. Applicant respectfully submits that the Examiner has not met all of the above criteria.

For the reasons set forth in the preceding section of this paper, Gentry fails to teach or suggest a number of the limitations recited in Applicant's independent claims and, therefore, the proposed modification of Gentry does not teach or suggest all of the recited claim limitations. Notably, the §103 rejection appears to be based upon a mischaracterization of Gentry, namely,

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the assumption that Gentry discloses a foreign VLR that is coupled to a DHLR as recited in Applicant's claims. As mentioned in the previous section, Gentry simply does not teach a DHLR as required by the claims. Even assuming, for the sake of argument, that the Gentry personal computer 48 is equivalent to the recited DHLR, the personal computer 48 is not coupled to the foreign VLR 20 (see FIG. 2 of Gentry). Indeed, the personal computer 48 has no need to communicate with the foreign VLR 20.

For at least the above reasons, Applicant submits that the Examiner has not established a *prima facie* case of obviousness with respect to any of claims 9, 10, 18, or 19. Accordingly, these claims are not unpatentable over Gentry and Applicant requests the withdrawal of the §103 rejection of these claims.

Conclusion


In conclusion, for the reasons given above, all claims now presently in the application are believed allowable and such allowance is respectfully requested. Should the Examiner have any questions or wish to further discuss this application, Applicant requests that the Examiner contact the undersigned attorney at (480) 385-5060.

If for some reason Applicant has not requested a sufficient extension and/or has not paid a sufficient fee for this response and/or for the extension necessary to prevent abandonment on this application, please consider this as a request for an extension for the required time period and/or authorization to charge Deposit Account No. 50-2091 for any fee which may be due.

Respectfully submitted,

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